## RULE 63 (37 C.F.R. 1.63) DECLARATION FOR PATENT APPLICATION IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

As a below named inventor, I hereby declare that my residence, post office address and citizenship are as stated below nexto my name, and I believe I am the original, first and sole inventor (if only one name listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on theinvention entitled NON-GELATIN CAPSULE SHELL FORMULATION the specification of which (check applicable box(es)):

	is attached hereto. was filed on as U.S. A was filed as PCT internation	Application Serial No. onal application No. PC	Γ/ / on	and (if applicable to U.S. or PC	Γ application) was amended on
ame with certi	ndment referred to above. I 37 C.F.R. 1.56(a). I herebificate listed below and have	acknowledge the duty to by claim foreign priority also identified below an	o disclose information v benefits under 35 U. y foreign application for	identified specification, including the which is material to the examination S.C. 119/365 of any foreign applier patent or inventor's certificate wan along the date of this application:	of this application in accordance cation(s) for patent or inventor's
Pr Ap	ior Foreign Application(s): oplication Number		Country	מ	ay/Month/Year Filed
I her	reby claim the benefit under	35 U.S.C. §119(e) of an	y United States provision	onal application listed below:	
	ior Provisional Application oplication Serial No.	n(s):	Day/Month/Year Fil	ed	
subj U.S. prior	ect matter of each of the cla	ims of this application is duty to disclose material al or PCT international fil	not disclosed in such information as defined	St	ded by the first paragraph of 35
be tr importhe a	rue; and further that these sta	atements were made with ction 1001 of Title 18 of	the knowledge that wi	and that all statements made on info llful false statements and the like so and that such willful false statements	made are punishable by fine or
,	Inventor's Name (typed)	Linus	G.	Fonkwe	Cameroon
	(3)	First	Middle Initial	Family Name	Citizenship
	Residence (City)	High Point		State/Foreign Country)	NC USA
	Post Office Address	-3981 River Pointe Place	o, Apt. 111 (f alalo)	3235 DERBY CIRCLE Zip Code	27265
2)	Inventor's Signature			Date	
	Inventor's Name (typed)	Don	A.	Archibald	USA
		First	Middle Initial	Family Name	Citizenship
	Residence (City)	Jamestown		State/Foreign Country)	NC USA
	Post Office Address	4 Havershire Ct		Zip Code	27282
3)	Inventor's Signature			Date	
	Inventor's Name (typed)	Aristippos		Gennadios	Greece
		First	Middle Initial	Family Name	Citizenship
	Residence (City)	Greensboro		State/Foreign Country)	NC USA
	Post Office Address	17 Topridge Court		Zip Code	27407-5110

FOR ADDITIONAL INVENTORS, check box and attach sheet with same information and signature and date for each.

(4/98)

As a below named inventor, I hereby declare that my residence, post office address and citizenship are as stated below nexto my name, and I believe I am the original, first and sole inventor (if only one name listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the theorem of the NON-GELATIN CAPSULE SHELL FORMULATION the specification of which (check applicable box(es)):

mas was	ttached hereto. s filed on as U.S. A s filed as PCT internation	Application Serial No. onal application No. PC	T/ / on	and (if applicable to U.S. or Pe	CT application) was amended on			
amendn with 37 certifica	I hereby state that I have reviewed and understand the contents of the above dentified specification, including the claims, as amended by any amendment referred to above. I acknowledge the duty to disclose information which is material to the examination of this application in accordance with 37 C.F.R. 1.56(a). I hereby claim foreign priority benefits under 35 U.S.C. 119/365 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate hang a filing date before that of the application on which priority is claimed or, if no priority is claimed, before the filing date of this application:							
Prior Applic	Foreign Application(s): cation Number		Country		Day/Month/Year Filed			
I hereby	claim the benefit under	35 U.S.C. §119(e) of an	y United States provisi	onal application listed below:				
	Provisional Application cation Serial No.	n(s):	Day/Month/Year Fi	led				
subject of U.S.C. 1 prior app	I hereby claim the benefit under 35 U.S.C. 120/365 of all prior United States and PCT international applications listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in such prioapplication in the manner provided by the first paragraph of 35 U.S.C. 112, I acknowledge the duty to disclose material information as defined in 37 C.F.R. 1.56(a) which occurred between the filing date of the prior applications and the national or PCT international filing date of this application:							
Prior Applio	U.S./PCT Application(s cation Serial No.	s):	Date/Month/Year F		Status: patented, pending, abandoned			
I hereby be true; imprisor	I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made withthe knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.							
l) Inv	ventor's Signature			Date				
In	ventor's Name (typed)	Linus	G.	Fonkwe	Cameroon			
		First	Middle Initial	Family Name	Citizenship			
Re Po	esidence (City)	High Point		State/Foreign Country)	NC USA			
Po	ost Office Address	3981 River Pointe Pla	ce, Apt. 1H	Zip Code	27265			
2) Inv	ventor's Signature	I K h	Ille	Date	1/2/2002			
In	ventor's Name (typed)	Don	Α.	Archibald	USA			
	()1	First	Middle Initial	Family Name	Citizenship			
Re	esidence (City)	Jamestown		State/Foreign Country)	NC USA			
Po	ost Office Address	4 Havershire Ct		Zip Code	27282			
3) Inv	ventor's Signature			Date				
In	ventor's Name (typed)	Aristippos		Gennadios	Greece			
	(31)	First	Middle Initial	Family Name	Citizenship			
Re	esidence (City)	Greensboro		State/Foreign Country)	NC USA			
Po	ost Office Address	17 Topridge Court		Zip Code	27407-5110			

FOR ADDITIONAL INVENTORS, check box and attach sheet with same information and signature and date for each.

#1102827 v1 - DECLARATION

(4/98)

As a below named inventor, I hereby declare that my residence, post office address and citizenship are as stated below nexto my name, and I believe I am the original, first and sole inventor (if only one name listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on their original non-GELATIN CAPSULE SHELL FORMULATION the specification of which (check applicable box(es)):

am wit cer	ereby state that I have revieuendment referred to above. In the state of the state	ewed and understand t I acknowledge the duty by claim foreign priori e also identified below a	he contents of the abow to disclose information v ty benefits under 35 U. any foreign application for	and (if applicable to U.S. or PCT identified specification, including the which is material to the examination S.C. 119/365 of any foreign application patent or inventor's certificate want iling date of this application:	he claims, as amended by a of this application in accorda ation(s) for patent or invent			
	rior Foreign Application(s) pplication Number	:	Country	D	ay/Month/Year Filed			
I hereby claim the benefit under 35 U.S.C. §119(e) of any United States provisional application listed below:								
P A	rior Provisional Application pplication Serial No.	n(s):	Day/Month/Year Fil	ed				
I hereby claim the benefit under 35 U.S.C. 120/365 of all prior United States and PCT international applications listed below and, insofar as subject matter of each of the claims of this application is not disclosed in such prioapplication in the manner provided by the first paragraph of 3 U.S.C. 112, I acknowledge the duty to disclose material information as defined in 37 C.F.R. 1.56(a) which occurred between the filing date of prior applications and the national or PCT international filing date of this application:								
P:	rior U.S./PCT Application( pplication Serial No.	s):	Date/Month/Year Fi		atus: patented, nding, abandoned			
	I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed be true; and further that these statements were made withthe knowledge that willful false statements and the like so made are punishable by fine imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity the application or any patent issued thereon.							
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FOR ADDITIONAL INVENTORS, check box and attach sheet with same information and signature and date for each.

(4/98)

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Fonkwe, et al.

For: NON-GELATIN CAPSULE SHELL FORMULATION

Filed concurrently herewith. Serial Number to be assigned.

Commissioner for Patents Washington, D.C. 20231

## POWER OF ATTORNEY

Sir:

The undersigned, assignee of the entire interest in and to an application of Linus G. Fonkwe, Don A. Archibald, and Aristippos Gennadios for U.S. Letters Patent for a NON-GELATIN CAPSULE SHELL FORMULATION, by assignment documents being recorded contemporaneously herewith, hereby appoints: LOUIS T. ISAF Reg. No. 29,078; JAMES F. VAUGHAN Reg. No. 31,889; STEVEN D. KERR Reg. No. 32,472; D. SCOTT SUDDERTH Reg. No. 34,026; MICHAEL A. CICERO Reg. No. 34,562; JOHN J. TIMAR Reg. No. 32,497; STEVEN L. SCHMID Reg. No. 39,358; DAVID J. HAYZER Reg. No. 43,329; DAVID S. BRADIN Reg. No. 37,783; JACQUELYN D. AUSTIN Reg. No. 43,478; CARL B. MASSEY, JR. Reg. No. 44,224; BRIAN J. HAIRSTON Reg. No. 46,750; THOMAS B. MCGURK, Reg. No. 44,920; KATHLEEN NEUNER MANNE, Reg. No. 40,101; WILLIAM A. CAPP, Reg. No. P-49,037; C. ROBERT RHODES, Reg. No. 24,200; JACK B. HICKS, Reg. No. 34,180; JEFFREY R. MCFADDEN, Reg. No. 46,916; LEWIS S. ROWELL, Reg. No. 45,469; and CRAIG H. POPALIS Reg. No. 49,028, with the firm of Womble Carlyle Sandridge & Rice, PLLC, as my attorneys and/or agents with full power of substitution and revocation, to prosecute

this application, to make alterations and amendments therein, to receive the patent, and to transact all business in the Patent and Trademark Office connected therewith.

Furthermore, in accordance with 37 CFR '3.73(b), the undersigned hereby states that the documentary evidence of a chain of title from the original owner to the assignee, i.e. assignment document referenced above, has been reviewed and the undersigned certifies that, to the best of assignee's knowledge and belief, title is in assignee who seeks to prosecute this application.

## PLEASE ADDRESS ALL COMMUNICATIONS AND TELEPHONE CALLS TO:

Jack B. Hicks, Esq.
Womble Carlyle Sandridge & Rice, PLLC
300 N. Greene Street
Suite 1900
Greensboro, NC 27401
Tel: 336-574-8050

BANNER PHARMACAPS, INC.

Charles L. Cain

Senior Vice President, Legal and Public Affairs

Date: 1/4/02

Attorney File No.: 4700-083 (04700.467.4)